

IN THE SUPREME COURT OF THE STATE OF DELAWARE

EMILY J. CORNELIUS,	§
	§ No. 107, 2009
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for Kent County
STATE OF DELAWARE,	§ Cr. ID No. 0510013636
	§
Plaintiff Below-	§
Appellee.	§

Submitted: May 23, 2009

Decided: June 2, 2009

**ORDER**

This 2<sup>nd</sup> day of June 2009, it appears to the Court that, on May 8, 2009, the Clerk of the Court issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court 29(b) for the appellant's failure to diligently prosecute the appeal by not filing the opening brief and appendix in this matter. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs  
Justice